

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JEFFERY. FLOYD,

Petitioner,

v.

LOUIS FOLINO, et al,

Respondents.

CIVIL ACTION

No. 08-5618

June 14, 2010

Pollak, J.

**ORDER**

**AND NOW**, this 14th day of June, 2010, upon consideration of petitioner's Habeas Corpus Petition (Docket No. 1), respondents' Answer (Docket No. 7), petitioner's Reply (Docket No. 8), the Report and Recommendation of United States Magistrate Judge David R. Strawbridge (Docket No. 9), petitioner's Objections to Report and Recommendation (Docket No. 11), and the record herein, and for the reasons provided in the accompanying memorandum, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED AND ADOPTED**;
2. The petition for a writ of habeas corpus is **DENIED**; and
3. A Certificate of Appealability is **NOT GRANTED**.

BY THE COURT

/s/ Louis H. Pollak  
Pollak, J.